



# भारत का राजपत्र The Gazette of India

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नई दिल्ली, शनिवार, जून 6, 1970 (ज्येष्ठ 16, 1892)

No. 23]

NEW DELHI, SATURDAY, JUNE 6, 1970 (JYAISTHA 16, 1892)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके  
(Separate paging is given to this Part in order that it may be filed as a separate compilation)

## भाग III—खण्ड 4

### (PART III—SECTION 4)

विभिन्न निकायों द्वारा जारी की गई विविध अधिसूचनाएं जिसमें अधिसूचनाएं, आदेश, विज्ञापन और सूचनाएं सम्मिलित हैं  
(Miscellaneous Notifications including Notifications, Orders, Advertisements and Notices issued by Statutory Bodies)

#### स्टेट बैंक ऑफ इंडिया (केन्द्रीय कार्यालय) सूचनाएं

बम्बई, दिनांक 14 मई 1970

इसके द्वारा बैंक के स्टाफ में की गई निम्नलिखित नियुक्ति की अधिसूचना दी जाती है :

श्री एच० एस० मजुमदार ने दिनांक 8 मई 1970 को कारोबार समाप्त होने की अवधि से श्री बी० के० मुकुर्जी के स्थान पर हैदराबाद मंडल के स्थानापन्न उप-सचिव और कोषपाल के पद का पदभार ग्रहण किया।

दिनांक 22 मई 1970

इसके द्वारा बैंक के स्टाफ में की गई निम्नलिखित नियुक्ति की अधिसूचना दी जाती है :

श्री एस० आर० बसु ने दिनांक 6 मई 1970 को कारोबार समाप्त होने की अवधि से श्री पी० एस० वैद्य के स्थान पर बम्बई स्थानीय प्रमुख कार्यालय, पेशागी विभाग के अधीक्षक के पद का पदभार ग्रहण किया।

टी० आर० वरदाचारी,  
प्रबन्ध निदेशक

#### संचार विभाग (डाक-तार बोर्ड) सूचनाएं

नई दिल्ली-1, दिनांक 22 मई 1970

सं० 25/33/70-एल० आई०—श्री मथुरा साधो की क्रमांक 104871-सी दिनांक 7-11-66 की 1000/- रुपए की डाक जीवन M99GI/70

बीमा पालिसी उनके संरक्षण से गुम हो गई है। यह सूचित किया जाता है कि उक्त पालिसी का भुगतान रोक दिया गया है। उप-निदेशक, डाक जीवन बीमा, कलकत्ता को बीमेदार के नाम पालिसी की दूसरी प्रति जारी करने के अधिकार दे दिए गए हैं। जनता को चेतावनी दी जाती है कि मूल पालिसी के सम्बन्ध में कोई लेन-देन न करे।

सं० 25/34/70-एल० आई०—श्री जार्ज जोसेफ की क्रमांक एल-4711 दिनांक 12-5-67 की 5000/- रुपए की डाक जीवन बीमा पालिसी उनके संरक्षण से गुम हो गई है। यह सूचित किया जाता है कि उक्त पालिसी का भुगतान रोक दिया गया है। उप-निदेशक, डाक जीवन बीमा, कलकत्ता को बीमेदार के नाम पालिसी की दूसरी प्रति जारी करने के अधिकार दे दिए गए हैं। जनता को चेतावनी दी जाती है कि मूल पालिसी के सम्बन्ध में कोई लेन-देन न करे।

दिनांक 23 मई 1970

सं० 25/19/70-एल० आई०—श्री वी० जे० एस० प्रिया-नायागम की क्रमांक 56069-पी दिनांक 1-8-53 की 10000/- रुपए की डाक जीवन बीमा पालिसी उनके संरक्षण से गुम हो गई है। यह सूचित किया जाता है कि उक्त पालिसी का भुगतान रोक दिया गया है। उप-निदेशक, डाक जीवन बीमा, कलकत्ता को बीमेदार के नाम पालिसी की दूसरी प्रति जारी करने के अधिकार दे दिए गए हैं। जनता को चेतावनी दी जाती है कि मूल पालिसी के सम्बन्ध में कोई लेन-देन न करे।

रा० किशोर, निदेशक (डाक जीवन बीमा)

## STATE BANK OF INDIA

## Central Office

## NOTICE

Bombay, the 14th May 1970

The following appointment on the Bank's staff is hereby notified :—

Shri H. S. Majumdar, has assumed charge as Officiating Dy. Secretary & Treasurer, Hyderabad Circle, as from the close of business on the 8th May, 1970, vice Shri B. K. Mookerjee.

The 22nd May 1970

The following appointment on the Bank's staff is hereby notified :—

Shri S. R. Basu, has assumed charge as Superintendent, Advances Department, Bombay Local Head Office, as at the close of business on the 6th May, 1970, vice Shri P. S. Vaidya.

T. R. VARADACHARY  
Managing Director

## THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

New Delhi-1, The 15th May 1970

No. 8-CA(1)/7/70-71—In pursuance of Clause (iii) of Regulation 10(1) of the Chartered Accountants Regulations, 1964, it is hereby notified that the certificate of practice issued to the following members shall stand cancelled for the period mentioned against their names, as they do not desire to hold their certificate of practice.

S. No.	Member-ship No.	Name and Address	Period during which the certificate shall stand cancelled.
1	2	3	4
1.	5731	Shri Sukumar Bhattacharya, F.C.A., 64/1/25A, Belgachia Road, CALCUTTA-37.	1-5-1970 to 30-6-1970
2.	10287	Shri Ashok Dharamdas Vora, A.C.A., 18/4, R.A. Kidwai Road, Wadala, BOMBAY-31.	22-4-1970 to 30-6-1970
3.	9521	Shri Pukh Raj Sethi, A.C.A., Internal Auditor, Central Bank of India, Main Office, Gandhi Road, AHMEDABAD.	1-3-1970 to 30-6-1970
4.	10471	Shri Amitabha Majumdar, A.C.A., B-2/68, Safdarjang Enclave, NEW DELHI-16.	1-3-1970 to 30-6-1970

The 19th May 1970

No. 4-CA(1)/3/70-71—In pursuance of Regulation 16 of the Chartered Accountants Regulations, 1964, it is hereby notified that in exercise of the powers conferred by clause (a) of Sub-Section(1) of Section 20 of the Chartered Accountants Act, 1949,

the Council of the Institute of Chartered Accountants of India, has removed from the Register of Members of this Institute with effect from the dates mentioned against their names, the names of the following gentlemen :—

S. No.	Member-ship No.	Name and Address	Date of Removal
1.	283	Shri Saral Kumar Chatterjee, 8/2, Hastings Street, CALCUTTA-1.	3-4-1970
2.	284	Shri Venkatarama Ramaratnam, 9, Fourth Street, Abhiramapuram, MADRAS-18.	27-4-1970
3.	3192	Shri K. Gopalakrishna Rao, 6/260, Luxmi Bhawan, Sion East, BOMBAY-22.	25-4-1970

No. 5-CA(1)/5/70-71—With reference to this Institute's Notifications Nos. 4-CA(1)/16/64-65 dated 20th February, 1965, 4-CA (1)/4/66-67 dated 21st May, 1966 and 4-CA(1)/20/68-69 dated 1st January 1969, it is hereby notified in pursuance of Regulation 18 of the Chartered Accountants Regulations, 1964, that in exercise of the powers conferred by Regulation 17 of the said Regulations, the Council of the Institute of Chartered Accountants of India has restored to the Register of Members with effect from the dates mentioned against their names, the names of the following gentlemen :—

S. No.	Member-ship No.	Name and Address	Date of Restoration
1.	3019	Shri Virendra Nath Chopra, A.C.A., 4, Bankshall Street, CALCUTTA-1.	11-5-1970
2.	6130	Shri Surinder Nath Nanda, A.C.A., 2858 Hollington Cres, Clarkson, ONTARIO, CANADA.	13-5-1970
3.	8826	Shri V. C. Babu, A.C.A., C/o Bahrain Gas, P.O. Box 254, Manama, Bahrain, ARABIAN GULF.	14-5-1970

The 23rd May 1970

## (CHARTERED ACCOUNTANTS)

No. 1-CA(37)/70.—In exercise of the powers conferred by clause (ii) of Part II of the Second Schedule to the Chartered Accountants Act, 1949, and pursuant to directions issued by Government (*vide* their letter No. 52/3/67-CL.II, dated 5th May, 1970), the Council of the Institute of Chartered Accountants of India specifies that a member of the Institute shall be deemed to be guilty of professional misconduct if—

I. he accepts appointment as cost auditor of a company under Section 233B of the Companies Act, 1956, while he—

- (a) is an auditor of the company appointed under Section 224 of the Companies Act; or
- (b) is an officer or employee of the company; or

- (c) is a partner, or is in the employment of an officer or employee of the company; or
- (d) is a partner or is in the employment of the company's auditor appointed under Section 224 of the Companies Act, 1956; or
- (e) is indebted to the company for an amount exceeding one thousand rupees, or has given any guarantee or provided any security in connection with the indebtedness of any third person to the company for an amount exceeding one thousand rupees :

OR

- II. after his appointment as Cost Auditor, he becomes subject to any of the disabilities stated in items I (a) to (e) above and continues to function as a cost auditor thereafter.

C. BALAKRISHNAN  
Secretary

#### TEXTILES COMMITTEE, BOMBAY

#### TEXTILES COMMITTEE CONTRIBUTORY PROVIDENT FUND REGULATIONS, 1970

In exercise of the powers conferred by section 23 of the Textiles Committee Act, 1963 (41 of 1963), the Textiles Committee, with the previous approval of the Central Government, hereby makes the following regulations, namely—

1. (1) These regulations may be called the Textiles Committee (Contributory Provident Fund) Regulations, 1970.
- (2) They shall come into force on 1st August, 1970.
2. (1) In these regulations, unless the context otherwise requires,—
  - (a) "Accounts Officer" means the Accounts Officer appointed by the Committee.
  - (b) "Act" means the Textiles Committee Act, 1963 (41 of 1963).
  - (c) "Chairman" and "Vice-Chairman" mean the Chairman and Vice-Chairman respectively of the Committee.
  - (d) "Committee" means the Textiles Committee constituted under the Act.
  - (e) (i) "Emoluments" means pay, leave salary or subsistence grant as defined in the Fundamental Rules of the Central Government and includes dearness pay appropriate to pay, leave salary or subsistence grant if admissible under the Rules of the Central Government, as adapted by the Committee and remuneration of the nature of pay received in respect of foreign service; but shall not include any pensionary elements including portion of pension commuted.

NOTE : In case where the pension is held in abeyance the Committee's contribution should be based on net pay, i.e., gross pay minus the gross pension

inclusive of the portion of pension commuted.

- (ii) If a subscriber is on deputation, the emoluments which he would have drawn had he not gone on deputation, shall, for the purpose of these regulations, be deemed to be emoluments drawn on duty.
- (f) "Employee" means a salaried officer or a servant of the Committee other than a Govt. servant whose services have been lent or transferred to the Committee.
- (g) "Family" means—
  - (i) in the case of a male subscriber, the wife or wives and children of a subscriber and the widow or widows and children of a deceased son of the subscriber :

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of community to which she belongs to be entitled to maintenance, she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate unless the subscriber subsequently intimates in writing to the Accounts Officer that she shall continue to be so regarded;

- (ii) in the case of a female subscriber, the husband and children of a subscriber, and the widow or widows and children of a deceased son of a subscriber :

Provided that if a subscriber by notice in writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these regulations relate, unless the subscriber subsequently cancels such notice in writing.

NOTE : "Child" means a legitimate child, and includes an adopted child, where adoption is recognised by the personal law governing the subscriber.

- (h) "Fund" means the Textiles Committee Contributory Provident Fund.
- (i) "Leave" means any variety of leave recognised under the leave rules followed by the Committee.
- (j) "Secretary" means the Secretary of the Committee appointed under section 9(1) of the Act and shall include an acting Secretary or any other Officer acting on his behalf.
- (k) "Standing Finance Committee" means the Standing Finance Committee of the Textiles Committee constituted under section 8(1) of the Act.
- (l) "Textiles Fund" means the fund constituted under section 7(1) of the Act.

- (m) "Trustee" means a member of the Board of Trustees as hereinafter provided.
- (n) "Year" means the financial year ending on 31st March.

2. All words and expressions used, but not defined in these regulations and defined in the Provident Fund Act, 1925 (19 of 1925), or in the Fundamental Rules of the Central Government shall have the meanings assigned to them in that Act or in the said Rules.

### 3. Constitution and Management Fund :

The Fund shall, subject to the Rules and Regulations herein contained, constitute an irrevocable trust for the benefit of the member thereof and save with the consent of all the beneficiaries, no moneys belonging to the Fund in the hands of the Trustees shall be recoverable by the Committee under any pretext whatsoever, nor shall the Committee have any lien or charge of any description on the same save as herein provided.

#### (i) Assets of the Fund

The Fund shall be maintained in rupees and shall consist of—

- (a) Contributions to be made by the Committee and the Members in terms of these Regulations,
- (b) Balance transferred from any other Provident Fund where such transfers are permitted by these Regulations,
- (c) Interest and dividends which may accrue on such contributions and balances,
- (d) Sums forfeited to the Fund under these Regulations,
- (e) Any other receipts, *e.g.*, donations from the Committee etc., if any.
- (ii) (a) The Fund established under these Regulations shall be administered by a Board of Trustees consisting of five persons who shall be nominated by the Chairman. The Chairman shall nominate one of the Trustees to be the President of the Board. The President shall appoint one of the Officers of the Committee to be Secretary of the Fund.
- (b) The President and other Trustees shall hold office for three years commencing from the dates on which orders appointing them as the President and the Trustees, are issued.
- (c) The Chairman may fill up casual vacancies caused by the death, dismissal or resignation of a Trustee.
- (d) Any Trustee nominated by the Chairman to fill a casual vacancy shall hold office for the unexpired term of office of the Trustee in whose place he is nominated.
- (e) An outgoing Trustee shall be eligible for re-nomination.
- (f) A Trustee including the President may resign his office by a letter addressed to the Chairman of the Textiles Committee and his office shall become vacant from the date on which the resignation is accepted by the Chairman.
- (g) If and whenever any Trustee dies, resigns or has become in the opinion of the Chairman incompetent or incapable of action or

has ceased to represent the interest which he purports to represent on the Board, or fails to attend three consecutive meetings of the Board without obtaining leave of absence of the President the Chairman shall appoint any other person to be a new Trustee and the Chairman's decision in this regard shall be final and binding. On every such appointment, the assets of the Fund shall *ipso facto* vest in the new Trustee jointly with the serving or continuing Trustees.

- (iii) The Fund and the management thereof shall be vested in the Trustees. All expenses relating to the administration of the Fund including audit fees and pay and allowances of the staff appointed in connection therewith shall be borne by the Committee and shall not be charged to the Fund.

#### (iv) Absence of Trustees

A Trustee intending to remain absent from Bombay for a continuous period exceeding one month but not exceeding six months, shall, before leaving Bombay, apply, in writing, to the Board for leave of absence. If he intends to absent himself for a period exceeding six months, he shall tender his resignation and where he fails to send such an application or resignation, his office of Trustee shall be deemed to have become vacant on the date of his departure from Bombay.

#### (v) Meeting

- (a) The Board of Trustees shall meet at Bombay or at such places, and at such time, as may be appointed in this behalf by the President of the Board. The President may, whenever he thinks fit, and shall, within 15 days of the receipt of requisition in writing from not less than two members, call a meeting thereof.
- (b) The President shall normally preside at every meeting of the Board. In his absence, the Trustee shall elect one of the members present to preside over the meeting and the person so elected to preside shall have all the powers of the President at the meeting.

#### (vi) Quorum

- (a) At any meeting of the Trustees, three Trustees shall constitute a quorum and any decision of a meeting of the Trustees at which a quorum is present shall be deemed to be a decision of all the trustees and final and binding on them.
- (b) If at any meeting, the number of Trustees is less than the required quorum, the President shall adjourn the meeting, informing the Trustees of the time and place of the adjourned meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting, irrespective of the number of Trustees present.
- (c) Every question considered at a meeting of the Board shall be decided by a majority of votes and in the event of an equality of votes, the President shall have a second or casting vote.

#### (vii) Minutes of the Meeting

- (a) The minutes of the meeting of the Board showing *inter alia* the names of trustees

present thereat shall be circulated to all Trustees not later than fifteen days from the date of the meeting. The Minutes shall thereafter be recorded in a Minute Book.

- (b) The records of the Minutes of each meeting shall, after confirmation, be signed by the President, with such modifications as may be considered necessary at the next meeting.

(viii) *Trustees' indemnity*

No Trustee shall be chargeable otherwise than in respect of money and securities actually received by him notwithstanding his signature to any receipt and he shall be answerable and accountable only for his own acts, receipts, neglects or defaults and not for those of any other Trustees nor of any banker, broker or other person with whom any of the moneys of the Fund or investments representing the same may be deposited or upon whose advice or opinion the Trustees may act, nor shall he be answerable for the insufficiency or deficiency of any securities nor for any other loss howsoever arising save such as happens through his own wilful negligence and default. Every Trustee shall be at liberty from and out of all or any part of the trust moneys in the first place to reimburse himself of all sums of moneys, costs, charges, damages, expenses etc., whatsoever which he may reasonably bear or sustain in any manner howsoever by reason of or on account of his acceptance or execution of the trust.

(ix) *Powers of Trustees*

A. In addition to any powers otherwise vested in them by these Regulations, the Trustees shall have the following powers which may be exercised by them in their absolute and uncontrolled discretion, but subject always as may be provided in the Regulations;

- (a) to direct the investment of the moneys of the Fund subject to clause (5) of regulations 24, and  
(b) to direct the sales, realisation and transfer of investment.

B. The decision of the Trustees shall be final and be binding upon the members in all respects and upon all matters, questions and disputes relating to or connected with these regulations or the Fund or the administration thereof or the rights or obligations of the members including all disputes or difference which may arise between any member or his executors, administrators, nominees or representatives and the Trustees or the Committee and the Trustees and the Committee as to the effect of any regulation or to any matter relating to or arising out of the same.

4. *Conditions of Eligibility*

- (1) Every employee shall become a member of the Fund from the date of confirmation or on satisfactory completion of the probationary period, if any, prescribed whichever is earlier, or on completion of one year's continuous service, if no probationary period is prescribed.

NOTE : An employee who is confirmed or who completes his probationary period or who completes one year of continuous service during the

middle of a month shall subscribe to the Fund from the first of the subsequent month.

- (2) A deputationist from a Government or from any body corporate owned or controlled by the Central Government or any State Government who is absorbed in the service of the Committee shall become a member of the Fund from the date of such absorption.

- (3) (a) Any officer retired from any civil or military department of the Central Government or from services of any State Government or from the services of any body corporate owned or controlled by the Central Government or any State Government of Port Trust, may on re-employment under the Committee be admitted to the Fund by the Chairman ;

Provided that where the terms of re-employment is initially for a year or less is later extended so as to exceed one year, the Committee's contribution with interest shall be credited only after the completion of one year's re-employed service. The Committee's contribution with interest shall be payable for the entire period for which the re-employed officer is allowed to contribute to the Fund if such period exceeds one year.

- (b) In the case of an employee re-employed concurrently during leave preparatory to retirement or refused leave availed of immediately after the date of compulsory retirement or on the expiry of an extension to his service, subscriptions to the Fund may commence from only the date of expiry of the leave preparatory to retirement or refused leave, i.e. from the date on which the Officer ceases to have connection with his pre-retirement post.

- (c) A re-employed officer is not eligible to subscribe to the Fund during the period of deferred leave, refused leave or terminal leave, if any, enjoyed at the end of the period of re-employment.

- (4) If a Government servant admitted to the benefit of the Fund was previously a subscriber to any contributory provident fund or non-contributory provident fund of the Central Government, the amount of his subscriptions and the Government's contribution in the contributory provident fund or the amount of subscriptions in the non-contributory provident fund of the Government, as the case may be, together with interest thereon shall be transferred to his credit in this Fund.

- (5) If a Government servant admitted to the benefit of the Fund was previously a subscriber to any other Government contributory provident fund or non-contributory provident fund the amount of his subscriptions and the Government's contribution in the contributory provident fund or the amount of subscriptions in the non-contributory provident fund, as the case may be, together with interest thereon shall be transferred to his credit in this Fund with the consent of the other Government.

- (6) If a Government servant admitted to the benefit of the Fund was previously a subscriber to any provident fund of a body corporate owned or controlled by the Central Government or any State Government the amount of the subscriptions and the employer's contribution, if any, together with the interest thereon shall be transferred to his credit in the Fund with the consent of the body.

NOTE (1) : The provisions of sub-regulations (4), (5) and (6) shall not apply to a person who has retired and is subsequently re-employed with or without a break in service or to a person who was holding the former appointment on contract.

NOTE (2) : The provisions of sub-regulations (4) and (5) shall however apply to persons who are appointed without break, whether temporarily or permanently to a post carrying the benefits of these regulations after resignation or retrenchment from service under the central Government or State Governments.

- (7) The undermentioned categories of employees of the Committee shall not be eligible to subscribe to the Fund :

- (i) persons paid from contingencies at daily or monthly rates,
- (ii) persons not in the whole time employment of the Committee, and
- (iii) Government servants and employees of other bodies and institutions on deputation to the Committee.

NOTE : In the case of a Central Government servant on deputation to the Committee who is permanently absorbed in service under the Committee in the public interest, the amount, if any, paid by the Government by way of retirement benefit in respect of the pensionable service under the Government shall be credited to his contributory provident Fund Account with this Committee as his opening balance on the date of absorption under the Committee and Government's liability in respect of the officer's pensionable service under them treated as extinguished by this payment.

- (iv) other employees not specifically made eligible for the benefits of the Fund by the Committee.
- (8) No employee shall be permitted to resign his membership of the Fund during his service under the Committee.
- (9) Any subscriber who for any reason ceases to be in the service of the Committee shall cease to be a member of the Fund.

#### 5. Nominations

- (1) A subscriber shall, at the time of joining the Fund, send to the Accounts Officer a nomination, conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund in the event of his death before that amount has become payable, or having become payable, has not been paid :

Provided that if, at the time of making the nomination, the subscriber has a family, the nomination shall not be in favour of any per-

son or persons other than the members of his family :

Provided further that the nomination made by the subscriber in respect of any other provident Fund to which he was subscribing before joining the Fund, shall, if the amount to his credit in such other fund has been transferred to his credit in this Fund, be deemed to be a nomination duly made under this regulation until he makes a nomination in accordance with this regulation.

- (2) If a subscriber nominates more than one person under sub-regulation (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.
- (3) Every nomination shall be in such one of the forms set forth in the second Schedule as is appropriate in the circumstances.
- (4) A subscriber may, at any time, cancel a nomination by sending a notice in writing to the Accounts Officer. The subscriber shall along with such notice or separately send a fresh nomination made in accordance with the provisions of this regulation.

- (5) A subscriber may provide in a nomination—

- (a) (i) in respect of any specified nominee that in the event of the nominee pre-deceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination :

Provided that such other person or persons shall, if the subscriber has other members of his family, be such other member or members.

- (ii) Where the subscriber confers such a right on more than one person under sub-clause (i) he shall specify the amount or share payable to each or such persons in such a manner as to cover the whole of the amount payable to the nominee.
- (b) that the nomination shall become invalid in the event of happening of a contingency specified therein :

Provided that if at the time of making the nomination, the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family.

- (6) Immediately on the death of a nominee, in respect of whom no special provision has been made in the nomination under clause (a) of sub-regulation (5), or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of sub-regulation (5) or the proviso thereto, the subscriber shall send to the Accounts Officer a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of this regulation.
- (7) Every nomination made and every notice of cancellation given, by a subscriber shall, to the extent that it is valid, take effect, on the date on which it is received by the Accounts Officer.

## 6. 'Subscribers' Accounts

An account shall be opened in the name of each subscriber, in which shall be shown—

- (i) his subscriptions,
- (ii) contributions made under regulation 11 by the Committee to his account,
- (iii) interest, as provided by regulation 12, on subscriptions,
- (iv) interest, as provided by regulation 12, on contributions, and
- (v) advances and withdrawals from the Fund.

## 7. Conditions and rates of Subscriptions

- (1) Every subscriber shall subscribe monthly to the Fund when on duty or on foreign service but not during a period of suspension :

Provided that a subscriber on re-instatement after a period passed under suspension, shall be allowed the option of paying in one sum, or in instalments, any sum not exceeding the maximum amount of arrears of subscription permissible for that period.

- (2) A subscriber may, at his option, not subscribe during any period of leave other than earned leave of less than 50 days' duration.
- (3) The subscriber shall intimate his election not to subscribe during leave in the following manner—

- (a) if he is an officer who draws his own pay bills, by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave,
- (b) If he is not an officer who draws his own pay bills by written communication to the Accounts Officer before he proceeds on leave.

Failure to make due and timely intimation shall be deemed to constitute an election to subscribe. The option of a subscriber intimated under this sub-regulation shall be final.

- (4) A subscriber who has, under regulation 21, withdrawn the amount of subscriptions and interest thereon, shall not subscribe to the Fund after such withdrawals, unless he returns to duty.

## 8. Rate of Subscriptions

- (1) The amount of subscription shall be fixed by subscriber himself subject to the following conditions, namely—

- (a) it shall be expressed in whole rupees.
- (b) it may be any sum, so expressed, not less than 8½ per cent of his emoluments.

- (2) For the purpose of sub-regulation (1), the emoluments of a subscriber shall be—

- (a) in the case of a subscriber who was in the Committee's service on the 31st March of the preceding year, the emoluments to which he was entitled on that date :

Provided that—

- (i) if the subscriber was on leave on the said date and elected not to subscribe

during such leave or was under suspension on the said date, his emoluments shall be his emoluments to which he was entitled on the first day after his return to duty.

- (ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India,

- (iii) if the subscriber joined the Fund for the first time on a day subsequent to the said date, his emolument shall be emoluments to which he was entitled on such subsequent date.

- (b) In the case of a subscriber who was not in the Committee's service on the 31st March of the preceding year, the emoluments to which he was entitled on the first day of his service or, if he joined the Fund for the first time on a date subsequent to the first day of his service, the emoluments to which he was entitled on such subsequent date :

Provided that, if the emoluments of the subscriber are of a fluctuating nature, they shall be calculated in such manner as the Secretary may direct.

- (3) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner—

- (a) if he was on duty on the 31st March of the preceding year, by the deduction which he makes or causes to be made in this behalf from his pay bill for that month,
- (b) if he was on leave on the 31st March of the preceding year and elected not to subscribe during such leave, or was under suspension on that date, by the deduction which he makes or causes to be made in this behalf from his first pay bill after his return to duty,
- (c) if he has entered the Committee's service for the first time during the year or joins the Fund for the first time, by the deduction which he makes or causes to be made in this behalf, from his pay bill for the month during which he joins the Fund,

- (d) if he was on leave on the 31st March of the preceding year, and continues to be on leave and has elected to subscribe during such leave, by the deduction which he makes or causes to be made in this behalf from his salary bill for that month,

- (e) if he was on foreign service on the 31st March of the preceding year, by the amount deducted from his salary on account of subscription for the month of April, in the current year,

- (f) if his emoluments are of the nature referred to in the proviso to sub-regulation (2), in such manner as the Secretary may direct.

- (4) The amount of subscription so fixed may be enhanced or reduced once at any time during the course of a year :

Provided that when the amount of subscription is so reduced, it shall not be less than the minimum prescribed in sub-regulation (1) :

Provided further that if a subscriber is on duty for a part of a month and on leave for the remainder of that month, and if he has elected not to subscribe during leave, the amount of the subscription payable shall be proportionate to the number of days spent on duty in the month.

#### 9. *Transfer to Foreign Service or Deputation out of India*

When a subscriber is transferred to foreign service or sent on deputation out of India, he shall remain subject to the regulations of the Fund in the same manner as if he were not so transferred or sent on deputation.

#### 10. *Realisation of Subscriptions*

Recovery of subscriptions and of the principal and interest of advances shall be made from the monthly pay or leave salary bills :

Provided that in the case of a subscriber on foreign service with the central Government or any State Government or a body corporate owned or controlled by the Central Government or any State Government, the subscriptions shall be recovered and forwarded to the Accounts Officer by the foreign employer.

#### 11. *Contribution by the Committee*

- (1) The Committee shall at the end of each year, make a contribution to the account of each subscriber :

Provided that if a subscriber quits the service or dies during a year, contribution shall be credited to his account for the period between the close of the preceding year and the date of the casualty :

Provided further no contribution shall be payable in respect of any period for which the subscriber is permitted under the regulations not to, or does not, subscribe to the Fund.

- (2) The contribution shall be paid at 8 1/3 per cent of the subscriber's emoluments drawn on duty during the year or period, as the case may be :

Provided that if, through oversight or otherwise, the amount subscribed is less than the minimum subscription payable by the subscriber under sub-regulation (1) of regulation 8 and if the short subscription together with the interest accrued thereon is not paid by the subscriber within such time as may be specified by the Secretary, the Contribution payable by the Committee shall be equal to the amount actually paid by the subscriber or the amount normally payable by the Committee, whichever is less, unless the Committee, in any particular case, otherwise directs :

Provided further that in the case of a re-employed pensioner contribution payable shall be calculated with reference to his net pay exclusive of all pensionary elements including portion, if any, commuted.

- (3) If a subscriber is on deputation out of India, the emoluments which he would have drawn had he been on duty in India shall, for the purpose

of this regulation, be deemed to be emoluments drawn on duty.

- (4) Should a subscriber elect to subscribe during leave, his leave salary shall, for the purposes of this regulation, be deemed to be emoluments drawn on duty.
- (5) Should a subscriber elect to pay arrears of subscriptions in respect of a period of suspension, the emoluments or portion of emoluments which may be allowed for that period on reinstatement, shall, for the purpose of this regulation, be deemed to be emoluments drawn on duty.
- (6) The amount of any contribution, payable in respect of a period of foreign service shall, unless it is recovered from the foreign employer, be recovered by the Committee from the subscriber.
- (7) The amount of contribution payable shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee).

#### 12. *Interest*

- (1) Subject to the provisions of sub-regulation (5), the Committee shall credit the account of a subscriber with interest on the amount standing to his credit in his account at such rate as the Central Government may, from time to time, prescribe under Rule 11 of the General Provident Fund (Central Services) Rules, 1960 for the purposes of payment of interest on subscriptions to the General Provident Fund maintained for Central Government servants. The Committee shall contribute the difference, if any, between the total amount of interest actually realised on investments during a financial year and the total amount of interest payable to all subscribers in respect of the same year.
- (2) Interest shall be credited with effect from the 31st March of each year in the following manner :
  - (i) on the amount to the credit of a subscriber on the 31st March of the preceding year, less any sums withdrawn during the current year—interest for twelve months,
  - (ii) on sums withdrawn during the current year—interest from the 1st April of the current year upto the last day of the month preceding the month of withdrawal.
  - (iii) on all sums credited to the subscriber's account after the 31st March of the preceding year—interest from the date of deposit upto the 31st March, of the current year.
  - (iv) the total amount of interest shall be rounded to the nearest rupee in the manner provided in sub-regulation (7) of regulation 11 :

Provided that when the amount standing to the credit of a subscriber has become payable, interest shall thereupon be credited under this sub-regulation in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, upto the date on which the amount standing to the credit of the subscriber became payable.



- (3) For the purpose of this regulation, the date of deposit shall, in the case of recoveries from emoluments be deemed to be the first day of the month in which they are recovered, and, in the case of amount forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, if they are received by the Accounts Officer before the fifth day of that month, or if, they are received on or after the fifth day of that month, the first day of the next succeeding month :

Provided that where there has been a delay in the drawal of pay or leave salary and allowances of a subscriber and consequently in the recovery of his subscription towards the Fund, the interest on such subscriptions shall be payable from the month in which the pay or leave salary of the subscriber was due under the regulations, irrespective of the month in which it was actually drawn.

- (4) In addition to any amount to be paid under Regulation 25, interest thereon upto the end of the month preceding that in which payment is made, or up to the end of six months after the month in which such amount became payable, whichever of these periods be less, shall be payable to the persons to whom such amount is to be paid :

Provided that no interest shall be paid in respect of any period after the date which the Accounts Officer has intimated to that person (or his agent) as the date on which he is prepared to make payment in cash, or if he pays by cheque after the date on which the cheque in that person's favour is put in the post.

- (5) Interest shall not be credited to the account of a subscriber if he informs the Accounts Officer that he does not wish to receive it, but if he subsequently asks for interest, it shall be credited with effect from the 1st April of the year in which he asks for it or the date of his joining the Fund, whichever is later.
- (6) The interest on amount which, under regulation 20 or regulation 21 are replaced to the credit of the subscriber in the Fund, shall be calculated at such rates as may be successively prescribed under sub-regulation (1) and so far as may be in the manner described in this regulation.

### 13. *Advances from the Fund*

- (1) The Trustees or any person authorised by them in this behalf may sanction the payment to any subscriber of an advance consisting of a sum of whole rupees and not exceeding in amount three months' pay or half the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund, whichever is less, for one or more of the following purposes—

- (a) to pay expenses in connection with the illness or a disability, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him;
- (b) to meet the cost of higher education, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him in the following cases, namely—
  - (i) for education outside India for an academic, technical, professional or vocation-

ational course beyond the high school stage, and

- (ii) for any medical engineering or other technical or specialised course in India beyond the high school stage, provided that the course of study is for not less than three years;

- (c) to pay obligatory expenses on a scale appropriate to the status which by customary usage the subscriber has to incur in connection with marriages or other ceremonies of himself or of his children or of any other person actually dependent on him;

Provided that the condition of actual dependence shall not apply in the case of a son or daughter of the subscriber :

Provided further that the condition of actual dependence shall not apply in the case of an advance required to meet the funeral expenses of the parent of a subscriber;

- (d) to meet the cost of legal proceedings instituted by the subscriber for vindicating his position in regard to any allegations made against him in respect of any act done or purporting to be done by him in the discharge of his official duty, the advance in this case being available in addition to any advance admissible for the same purpose from any other source of the Committee :

Provided that the advance under this sub-regulation shall not be admissible to a subscriber who institutes legal proceedings in any court of law either in respect of any matter unconnected with his official duty or against the Committee in respect of any condition of service or penalty imposed on him;

- (e) to meet the cost of his defence where the subscriber is prosecuted by the Committee or the Government in any court of law or where the subscriber engages a legal practitioner to defend himself in an inquiry in respect of any alleged official misconduct on his part.

- (2) An advance shall not, except for special reasons to be recorded in writing, be granted to any subscriber in excess of the limit laid down in sub-regulation (1) or until repayment of the last instalment of any previous advance together with the interest thereon :

Provided that an advance shall in no case exceed the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund.

*Note :* For the purpose of this regulation, pay includes dearness pay, where admissible.

### 14. *Recovery of Advance*

- (1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the Board of Trustees or any person authorised by them in this behalf may direct, but such number shall not be less than twelve unless the subscriber so elects and shall not be more than twenty-four.

In special cases where the amount of advance exceeds three months' pay of the subscriber

under sub-regulation (2) of regulation 13, the sanctioning authority may fix such number of instalments to be more than twenty-four but in no case more than thirty-six. A subscriber may, at his option, make repayment in a smaller number of instalments than that prescribed. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.

- (2) Recovery shall be made in the manner provided in regulation 10 for the realisation of subscriptions and shall commence with the issue of pay for the month following the one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent, while he is in receipt of subsistence grant or is on leave other than earned leave of less than 30 days' duration. The recovery may be postponed on the subscriber's written request by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.
- (3) If more than one advance has been made to a subscriber, each advance shall be treated separately for the purpose of recovery.
- (4) (a) After the principal of the advance has been fully repaid interest shall be paid thereon at the rate of one-fifth per cent of the principal for each month or broken portion of a month during the period between the drawal and complete repayment of the principal :

Provided that subscribers whose deposits in the Fund carry no interest shall not be required to pay into the Fund any additional instalments on account of interest on advance granted to them from the Fund.

- (b) Interest shall ordinarily be recovered in one instalment in the month after complete repayment of the principal, but, if the period referred to in clause (a) exceeds twenty months, interest may, if the subscriber so desires, be recovered in two monthly equal instalments. The method of recovery shall be that provided in sub-regulation (2). Payments shall be rounded to the nearest rupee in the manner provided in sub-regulation (7) of regulation 11.
  - (5) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn, shall, with interest at the rate provided in regulation 11, forthwith be repaid by the subscriber to the Fund, or in default, be ordered by the sanctioning authority or any person authorised by it to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly instalments, not exceeding twelve as may be directed by that authority :
- Provided that subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.
- (6) Recoveries made under this regulation shall be credited as they are made, to the account of the subscriber in the Fund.

#### 15. *Wrongful Use of Advance*

Notwithstanding anything contained in these regulations, if the sanctioning authority or any person

authorised by it, is satisfied that money drawn as an advance from the Fund under regulation 13 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, the amount in question, shall, with interest at the rate provided in regulation 12 forthwith be repaid by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in one sum from the emoluments of the subscriber even if he be on leave. If the total amount to be repaid be more than half the subscriber's emoluments recoveries shall be made in monthly instalments of *moieties* of his emoluments till the entire amount is repaid by him.

*Note :* The term "emoluments" in this rule does not include subsistence grant.

#### 16. *Withdrawal from the Fund*

- (1) Non-refundable withdrawals may be sanctioned by the Board of Trustees at any time after the completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund, for one or more of the following purposes, namely—
  - (a) meeting the cost of higher education, including where necessary, the travelling expenses of any child of the subscriber actually dependent on him in the following cases, namely—
    - (i) for education outside India for academic, technical, professional or vocational courses beyond the high school stage, and
    - (ii) for any medical, engineering or other technical or specialised course in India beyond the high school stage :  
Provided that the course of study is for not less than three years;
  - (b) meeting the expenditure in connection with the marriage of the subscriber's sons or daughters and if he has no daughter, or any other female relation dependent on him;
  - (c) meeting the expenses in connection with the illness, including where necessary the travelling expenses of the subscriber or any person actually dependent on him;
  - (d) building or acquiring a suitable house for his residence including the cost of the site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of the application for withdrawal but not earlier than twelve months of that date, or reconstructing or making additions or alterations to a house already owned or acquired by a subscriber;
  - (e) purchasing a house-site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of the application for the withdrawal but not earlier than twelve months of that date;
  - (f) for constructing a house on a site purchased utilising the sum withdrawn under clause (e).

(2) The actual withdrawal from the Fund shall be made only on receipt of an authorisation from the Accounts Officer who will arrange this as soon as the formal sanction has been issued by the Board.

- (3) *Conditions for withdrawal* : Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in this regulation from the amount standing to his credit in the Fund shall not ordinary exceed one-half of the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund or six months' pay, whichever is less. The Board of Trustees may, however, sanction the withdrawal of an amount in excess of this limit upto three-fourths of the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund having due regard to

- (i) the object for which the withdrawal is being made;
- (ii) the status of the subscriber; and
- (iii) the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund.

#### 17. *Withdrawal for the Purchase of Motor Cars*

Employees who have completed 28 years of service or who have less than 3 years to attain age of superannuation, may be permitted to make final withdrawals from the Fund for purchasing a motor car or for repaying a loan already taken by them for the purpose, subject to the following conditions :

- (i) The Officers pay is Rs. 1,000/- or more;
- (ii) The amount of withdrawal is limited to Rs. 12,000/- or one-fourth of the amount of subscription with interest thereon standing to the credit of the subscriber in the Fund or the actual price of the car, whichever is the least; and
- (iii) Such withdrawal shall be allowed only on one occasion.

18. (1) A subscriber who has been permitted to withdraw money from the Fund under regulation 16 or 17 shall satisfy the Board of Trustees or any person authorised by them in this behalf within a reasonable period as may be specified by that authority that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn, or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum together with interest thereon at the rate determined under regulation 12 by the subscriber to the Fund, and in default of such payment, it shall be ordered by that authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the sanctioning authority.

- (2) Nothing in sub-regulation (1) shall be deemed to require a subscriber whose deposits in the Fund carry no interest, to pay any interest on any sum repayable by him under that sub-regulation.

#### 19. *Conversion of an Advance into a Withdrawal*

A subscriber who has already drawn or may draw in future an advance under regulation 13 for any

of the purposes specified in clauses (a), (b) and (c) of sub-regulation (1) of regulation 16 may convert with the permission of the Trustees the balance outstanding against it with interest into a final withdrawal on his satisfying the conditions laid down in regulation 16.

#### 20. *Final Withdrawal of Accumulations in the Fund*

When a subscriber quits the service, the amount standing to his credit in the Fund shall subject to any deduction under regulation 23, become payable to him :

Provided that a subscriber, who has been dismissed from the service and is subsequently reinstated in the service, shall if required to do so by the Committee repay any amount paid to him from the Fund in pursuance of this regulation, with interest thereon at the rate provided in regulation 12 and in the manner provided in the proviso to regulation 21. The amount so repaid shall be credited to his account in the Fund, the part which represents his subscriptions and interest thereon, and the part which represents the Committee's contribution with interest thereon, being accounted for in the manner provided in regulation 6.

*Explanation* : A subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed, with or without a break in service, shall not be deemed to quit the service, when he is transferred without any break in service to a new post under a State Government or the Central Government (in which he is governed by another set of Provident Fund Rules) and without retaining any connection with his former post. In such a case, subscription and the Committee's contribution, together with interest thereon, shall be transferred.

- (a) to his account in the other Fund in accordance with the regulations of that Fund, if the new post is under the Central Government, or
- (b) to a new account under the State Government concerned, if the new post is under a State Government and if the State Government consents, by a general or special order, to such transfer of his subscriptions, the Committee's contribution and interest.

*Note* : Transfers should be held to include cases of resignations from service in order to take up appointment under the Central Government or a State Government without any break and with proper permission of the Secretary. In cases where there has been a break in service, it shall be limited to the joining time allowed on transfer to a different station.

The same shall hold good in cases of retrenchments followed by immediate employment, whether under Central Government or under any State Government.

#### 21. *Retirement of Subscriber*

When a subscriber—

- (a) has proceeded on leave preparatory to retirement, or
- (b) while on leave, has been permitted to retire or declared by competent medical authority to be unfit for further service.

The amount of subscription and interest thereon standing to his credit in the Fund, shall, upon application made by him in that behalf to the

Accounts Officer, become payable to the subscriber.

Provided that the subscriber, if he returns to duty shall, if required to do so by the Trustees, repay to the Fund, for credit to his account the whole or part of any amount paid to him from the Fund in pursuance of this regulation, with interest thereon at the rate provided in regulation 12 in cash or securities, or partly in cash and partly in securities, by instalments or otherwise, by recovery from his emoluments or otherwise, as may be directed by the Trustees.

## 22. Procedure on Death of Subscriber

Subject to any deduction under regulation 23 on the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable before payment has been made,

(i) When the subscriber leaves a family—

(a) if a nomination made by the subscriber in accordance with the provisions of regulation 5 in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

(b) if no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amounts standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate as the case may be, shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family become payable to the members of his family in equal shares :

Provided that no share shall be payable to—

- (1) sons who have attained majority,
  - (2) sons of a deceased son who have attained majority,
  - (3) married daughters whose husbands are alive,
  - (4) married daughters of a deceased son whose husbands are alive,
- if there is any member of the family other than those specified in items (1), (2), (3) and (4) :—

Provided also that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of item (1) of the first proviso.

*Note.*—Any sum payable under these regulation to a member of the family of a subscriber vests in such member under sub-section (2) of section 3 of the Provident Funds Act, 1925.

(ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of regulation 5, in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

*Note-1.*—When a nominee is a dependent of a subscriber as defined in clause (c) of section 2

of the Provident Funds Act, 1925, the amount vests in such nominee under sub-section (2) of section 3 of that Act.

*Note-2.*—When the subscriber leaves no family and no nomination made by him in accordance with the provisions of regulation 5 subsists, or if such nomination relates only to part of the amount standing to his credit in the Fund, the payment should be made to any person appearing to the Trustees to be entitled to receive payment in case the amount involved does not exceed Rs. 5000/-. If the total amount payable exceeds Rs. 5,000/- payment should be made to the person who produces probate or letters of administration evidencing the grant to him of administration of the estate of the deceased or a succession certificate entitling the holder to receive payment of the amount claimed—*vide* clause (b) and sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Provident Funds Act, 1925.

## 23. Deductions

(1) Subject to the condition that no deduction may be made which reduces the credit by more than the amount of any contribution by the Committee with interest thereon credited under regulations 11 and 12, before the amount standing to the credit of a subscriber in the fund is paid out of the Fund, the Secretary may direct the deduction therefrom and payment to the Committee of—

(a) any amount, if a subscriber has been dismissed from the service for grave misconduct :—

Provided that, if the order of dismissal is subsequently cancelled, the amount so deducted shall, on his reinstatement in the service, be replaced to his credit in the Fund.

(b) any amount, if a subscriber resigns his employment under the Committee within 5 years of the commencement thereof otherwise than by reason of superannuation or retrenchment due to reduction of establishment or a declaration by competent medical authority that he is unfit for further service,

*Note-1.*—For the purpose of the limit of five years laid down in this sub-regulation, the continuous and unbroken service rendered under the erstwhile Cotton Textiles Fund Committee shall also count.

*Note-2.*—In the case of a person re-employed concurrently during a period of leave preparatory to retirement/refused should leave, the period of re-employment should be reckoned from the date of commencement of re-employment, even though the employee is eligible to subscribe and receive the Committee's contribution only after the expiry of leave preparatory to retirement/refused leave.

(c) any amount due under a liability incurred by the subscriber to the Committee.

(2) The Committee's contribution and interest thereon withheld in terms of sub-regulation (1) and profits from investments in the Fund in excess of the interest credited to individual accounts at the rate and in the manner prescribed in Regulation 12 shall be credited to the "Lapse and Reserve Account" of the Fund and utilised to meet any loss from the investments of the moneys relating to the Fund.

**24. Procedure Rules**

- (1) When paying subscription, or instalments of advance taken, the subscriber shall quote the number of his account in the Fund, which shall be communicated to him by the Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Accounts Officer.
- (2) Separate accounts shall be kept for each subscriber and each such account shall be divided into two parts. The first part shall show the amount of the subscriber's own personal subscriptions with interest thereon as it accrues and details of all advances and repayments and all other dealings therewith under these regulations. The second part shall show the subscriber's share of the Committee's yearly contribution with interest thereon.
- (3) The subscriptions of the members and the contributions of the Committee collected and the interest payable in terms of these regulations shall be handed over to the Trustees.
- (4) The Trustees shall from time to time pay all moneys received by them to the credit of a separate account to be opened with the State Bank of India. All cheques drawn against this account and all orders for withdrawal of moneys from this account shall be signed by any one Trustee and the Accounts Officer or any other Officer authorised by the Board in this behalf.
- (5) After keeping in reserve a reasonable amount that may be required to meet payments on account of withdrawals and temporary advances, surplus moneys relating to the Fund, shall be invested by the Trustees in Government National Savings Certificates or 12 year National Defence Certificates or other safe and profitable securities referred to in clauses (a) to (d) of section 20 of the Indian Trust Act, 1882, (11 of 1882).
- (6) As soon as possible after the 31st March of each year, the Board shall send to each subscriber a statement of his account in the Fund, showing the opening balance as on the 1st April, of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st of March, of the year and the closing balance on that date. The Board shall attach to the statement of account an inquiry whether the subscriber—
  - (i) desires to make any alternation in any nomination made under regulation 5,
  - (ii) has acquired a family (in cases where the subscriber made no nomination in favour of a member of his family).
- (7) Subscribers should satisfy themselves as to the correctness of the annual statement and errors, if any, should be brought to the notice of the Accounts Officer within one month from the date of receipt of the statement.
- (8) The Board, if required, in writing, by a subscriber once, but not more than once in a year, shall inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

**25. Procedure for Payment of Provident Fund**

- (1) When the amount standing to the credit of a member, or the balance thereof after any de-

duction under Regulation 23 becomes payable, the Accounts Officer shall close the account of the member and shall give a written notice to the person entitled to receive payment, specifying the amount and tendering payment thereof.

- (2) If any portion of the amount which has become payable is in dispute or doubt, the Accounts Officer shall make prompt payment of that portion of the amount in regard to which there is no dispute or doubt, the balance being adjusted as soon as may be possible.
- (3) If under these regulations the person to whom any amount is to be paid is a lunatic for whose estate a manager has been appointed in this behalf under the India Lunacy Act, 1912, the payment shall be made to such manager, and not to the lunatic.
- (4) Any person desirous of claiming payment under this regulation shall send an application to the Accounts Officer who may, at the option of the person to whom payment is to be made, make payment :
  - (i) by postal money order or demand draft at the cost of the payee, or
  - (ii) by crossed cheque, or
  - (iii) in cash if the payee does not have a bank account.

**26. ACCOUNTS OF THE FUND AND AUDIT**

- (1) The total amount received or receivable as the employer's contributions and the employees' subscriptions to the Fund shall be credited to respective accounts.
- (2) All amounts forfeited to the Fund under regulation 23, and net profits or losses, if any, from the sale of the investments, shall be transferred to the 'Reserve and Lapses Account'.
- (3) All rent and any other income accrued or realised, as the case may be, shall be credited to an account to be called the "Interest Income Account".
- (4) The Accounts Officer of the Committee shall be the ex-Officio Accounts Officer of the Fund.
- (5) The Accounts of the Fund, shall be audited by the authority auditing the accounts of the Committee in terms of section 13 of the Act.
- (6) Within six months of the close of each financial year, the Board shall submit to the Central Government and the Committee the audited accounts of the Fund for the last preceding financial year.

**27. General**

Relaxation of the provisions of the regulations in individual cases—

When the Standing Finance Committee is satisfied that the operation of these regulations causes or is likely to cause undue hardship to a subscriber, it may, notwithstanding anything contained in these regulations, deal with the case of such subscriber in such manner as may appear to it to be just and equitable.

**28. WINDING UP**

The Fund shall not be closed except when the Committee is dissolved. In the event of the dissolution of the Committee, the Fund shall be closed and the moneys divided amongst the members then existing by payment to each of them a sum which shall bear the same proportion to the aggregate market value of proceeds of securities and un-invested cash then constituting the

Fund as the amount then standing to the credit of the member in his individual account bears to the aggregate of the amounts then standing to the credit of the individual accounts of all such members.

## 29. INTERPRETATION

If any question arises relating to the interpretation of these regulations, it shall be referred to the Standing Finance Committee whose decision thereon shall be final.

30. *Repeal and Saving* : (1) The Cotton Textiles Fund Committee's Contributory Provident Fund Rules shall cease to apply.

(2) Notwithstanding such cesser—

- (a) all moneys and investments at the credit of the Cotton Textiles Fund Committee's Contributory Provident Fund immediately before the date of commencement of these regulations shall with effect from such date stand transferred to and form part of the Fund;

(b) anything done or any action taken under the said rules shall be deemed to have been validly done or taken."

M. R. RAMACHANDRAN,

Secretary

Textiles Committee, Bombay-18

## FIRST SCHEDULE

I hereby declare that I have read and understood the Textiles Committee (Contributory Provident Fund, Regulations, 1970, and I hereby undertake to subscribe to the Contributory Provident Fund and agree to be bound by the said regulations.

Signature in full .....  
Name .....  
Witness .....  
Address .....  
.....  
.....

Date :—

## SECOND SCHEDULE

[(See regulation 5(3))]

*Forms of Nomination*

I. When the subscriber has a family and wishes to nominate one member thereof.

I hereby nominate the person mentioned below, who is a member of my family as defined in Regulation 2 of the Textiles Committee (Contributory Provident Fund) Regulations, 1970 to receive the amount that may stand to my credit in the fund in the event of my death before that amount has become payable, or having become payable, has not been paid :—

Name and Address of nominee.	Relationship with subscriber.	Age	Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person/persons if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.
1	2	3	4	5

Date this.....day of.....19  
at.....

Two witnesses to signature.

1.....  
2.....

Signature of Subscriber

II. When subscriber has a family and wishes to nominate more than one member thereof.

I hereby nominate the persons mentioned below, who are members of my family as defined in regulation 2 of the Textiles Committee (Contributory Provident Fund) Regulations, 1970, to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount shall be distributed amongst the said persons in the manner shown below against their names :

Name and address of nominee	Relationship with subscriber	Age	*Amount or share of accumulations to be paid to each	*Contingencies on the happening of which the nomination shall become invalid.	*Name, address and relationship of the person/persons if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.
1	2	3	4	5	6

Dated this.....day of.....19  
at.....

Two witnesses to signature :

1.....  
2.....

Signature of subscriber

\*NOTE :—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

## III. When the subscriber has no family and wishes to nominate one person.

I, having no family as defined in regulation 2, of the Textiles Committee (Contributory Provident Fund) Regulations, 1970, hereby nominate the person mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid.

Name and address of nominee	Relationship with subscriber	Age	*Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person/persons if any, to whom the right of the nominees shall pass in the event of his predeceasing the subscriber.
1	2	3	4	5

Date this.....day of.....19  
at.....

Signature of Subscriber :

Two witnesses to signature :

1.....  
2.....

\*NOTE :—Where a subscriber has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

## IV. When the subscriber has no family and wishes to nominate more than one person.

I, having no family as defined in regulation 2 of the Textiles Committee (Contributory Provident Fund) Regulations, 1970, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund in the event of my death before that amount has not become payable, or having become payable has not been paid and direct that the said amount shall be distributed among the said persons in the manner shown below against their names :—

Name and address of nominee.	Relationship with subscriber.	Age	*Amount or share of accumulations to be paid to each.	†Contingencies on the happening of which the nomination shall become invalid.	Name, address and relationship of the person/persons, if any, to whom the right of the nominee shall pass in the event of his predeceasing the subscriber.
1	2	3	4	5	6

Dated this.....day of.....19  
at.....

Signature of subscriber :

Two witnesses to signature :

1.....  
2.....

\*NOTE :—This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund any time.

†NOTE :—Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

## DEPARTMENT OF POSTS &amp; TELEGRAPHS

Office of the Director General, Posts &amp; Telegraphs

*New Delhi, the 22nd May 1970*

## NOTICES

*No. 25/33/70-LI.*—Postal Life Insurance EA/60 policy No. 104871-C dated 7-11-66 for Rs. 1,000/- held by Shri Mathura Sao, having been lost from his custody notice is hereby given that the payment thereof has been stopped. The Deputy Director, P.L.I. Calcutta has been authorised to issue a duplicate policy in favour of the insurant. The Public are hereby cautioned against dealing with the original policy.

*No. 25/34/70-LI.*—Postal Life Insurance EA/45 policy No. L-4711 dated 12-5-67 for Rs. 5,000/- held by Sh. George Joseph having been lost from the departmental custody, notice is hereby given that the payment thereof has been stopped. The Dy. Director, P.L.I. Calcutta has been authorised to issue a duplicate policy in favour of the insurant. The public are hereby cautioned against dealing with the original policy.

*The 23rd May 1970*

*No. 25/19/70-LI.*—Postal Life Insurance EA/55 policy No. 56069-P dated 1-8-53 for Rs. 10,000/- held by Shri V.J.S. Perianayagam, having been lost from his Custody notice is hereby given that the payment thereof

has been stopped. The Dy. Director, P.L.I. Calcutta has been authorised to issue a duplicate policy in favour of the insurant. The Public are hereby cautioned against dealing with the original policy.

R. KISHORE  
*Director (PLI).*

## EMPLOYEES' STATE INSURANCE CORPORATION

*New Delhi, the 22nd May 1970*

*No. INS.I. 22(1)-1/70(1).*—In pursuance of the powers conferred by Section 46(2) of the Employees' State Insurance Act, 1948 (34 of 1948), read with Regulation 95-A of the Employees' State Insurance (General) Regulations, 1950, the Director General has fixed the 24th day of May, 1970 as the date from which the medical benefit as laid down in the said Regulation 95-A and the Uttar Pradesh Employees' State Insurance (Medical Benefit) Rules, 1951, shall be extended to the families of insured persons in the following areas in the State of Uttar Pradesh, namely :—

"Villages :—Bithura, Nawguan, Kurtara, Madhopur Mauji, Rukandpur and Nadosi in Pargana, Tehsil, and District Bareilly."

V. R. NATESAN  
*Insurance Commissioner,*